

**FLATHEAD COUNTY BOARD OF ADJUSTMENT
MINUTES OF THE MEETING
OCTOBER 7, 2014**

**CALL TO
ORDER
6:01 pm**

A meeting of the Flathead County Board of Adjustment was called to order at approximately 6:00 p.m. Board members present were Ole Netteberg, Mark Hash and Cal Dyck. Roger Noble and Gina Klempel had excused absences. Eric Mack represented the Flathead County Planning & Zoning Office.

There were 3 people in the audience.

**APPROVAL OF
MINUTES
6:01 pm**

Netteberg motioned and Dyck seconded to approve the September 2, 2014 minutes as amended. The motion passed unanimously.

**PUBLIC
COMMENT
(not related to
agenda items)
6:01 pm**

None.

**MONTANASKY
NETWORKS,
INC
(FCU-14-10)
6:03 pm**

A request by MontanaSky Networks, Inc., for a Conditional Use Permit to amend a previously approved Conditional Use Permit (FCU-14-03) for a transmission tower on a lot located in the 'B-2 (General Business) Evergreen Enterprise Overlay'. The applicant is proposing to move the communication tower from the permitted area to an alternate location approximately 112 feet to the south. The property is located at 2185 US Highway 2 East in Evergreen, MT.

STAFF REPORT

Mack and Hash reviewed how many votes were needed to have an item be approved since there were three members of the board present and asked if the applicants were comfortable with having three members present.

Mack reviewed Staff Report FCU-14-10 for the Board.

**BOARD
QUESTIONS**

None.

**PUBLIC
COMMENT**

None.

**STAFF
REBUTTAL**

None.

**BOARD
QUESTIONS**

Hash asked Dasen if he had any issues with the conditions.

Dasen asked the condition concerning the foundation be more stringent to comply with Verizon's requirements for a tower base since they were going to be co-locating the tower.

Mack said the requirement might pertain to finding #7 but would not affect the conditions.

Hash said those requirements would affect the building permits more than the conditional use permit.

**BOARD
DISCUSSION**

None.

**MAIN MOTION
TO ADOPT
F.O.F.
(FCU-14-10)**

Netteberg made a motion seconded by Dyck to adopt staff report FCU-14-10 as findings-of-fact.

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
ADOPT F.O.F.
(FCU-14-10)**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**

None.

**MAIN MOTION
TO APPROVE
(FCU-14-10)**

Netteberg made a motion seconded by Dyck to approve.

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
APPROVE
(FCU-14-10)**

On a roll call vote the motion passed unanimously.

**ZANE LINDSAY
AND
SAMANTHA
CONNOR
(FCU-14-09)
6:11 pm**

A request by Zane Lindsay and Samantha Connor, for a Conditional Use Permit to establish 'multiple principal uses' on a lot located in the 'B-2 (General Business) Evergreen Enterprise Overlay'. The applicants are proposing to add a shop to be used for auto repair and a coffee kiosk on a parcel located at 2624 US Highway 2 East in Evergreen, MT.

STAFF REPORT

Mack reviewed FCU-14-09 for the board.

**BOARD
QUESTIONS**

Hash and Mack discussed if hours of operation were an issue.

**APPLICANT
PRESENTATION**

Zane Lindsay, applicant, said the coffee stand would continue the same hours of operation as their current coffee shop and would not be an issue if they moved the shop to the new location. They were working on an approach easement and a new septic system.

**BOARD
QUESTIONS**

Hash asked if there were any issues with any of the conditions.

Lindsay said no.

**PUBLIC
COMMENT**

None.

**STAFF
REBUTTAL**

None.

**BOARD
DISCUSSION**

Netteberg and Samantha Connor, applicant discussed if the easement was an issue.

**MAIN MOTION
TO ADOPT
F.O.F.
(FCU-14-09)**

Dyck made a motion seconded by Netteberg to adopt staff report FCU-14-09 as findings-of-fact.

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
ADOPT F.O.F.
(FCU-14-09)**

On a roll call vote the motion passed unanimously.

**MAIN MOTION
TO APPROVE**

Dyck made a motion seconded by Netteberg to approve.

(FCU-14-09)

**BOARD
DISCUSSION**

None.

**ROLL CALL TO
APPROVE
(FCU-14-09)**

On a roll call vote the motion passed unanimously.

**BOARD
DISCUSSION**

Dyck said he had wanted to amend the September 2, 2014 minutes and had not known the appropriate time to make a motion to amend them. On page four of ten he wished to strike under board discussion 'visited with the neighbors about the application.'

Hash discussed procedure.

**MAIN MOTION
TO RESCIND
APPROVAL OF
SEPTEMBER 2,
2014 MINUTES
6:20 pm**

Dyck made a motion seconded by Netteberg to rescind the approval of the September 2, 2014 minutes.

The motion passed unanimously.

**MAIN MOTION
TO AMEND THE
SEPTEMBER 2,
2014 MINUTES
6:20 pm**

Dyck made a motion seconded by Netteberg to amend the September 2, 2014 minutes.

The motion passed unanimously.

**OLD BUSINESS
6:20 pm**

None.

**NEW BUSINESS
6:20 pm**

Donna Valade, board secretary, and Mack reviewed what was on the meeting dockets for November and December.

**ADJOURNMENT
6:21 pm**

The meeting was adjourned at approximately 6:21 pm. on a motion by Netteberg. The next meeting will be held at 6:00 p.m. on November 5, 2014.

C. Mark Hash, Chairman

Donna Valade, Recording Secretary

APPROVED AS **SUBMITTED**/CORRECTED: 11 / 5 / 14